

**Introduced by Senator Florez**

February 22, 2006

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An act to add Section 294.5 to the Penal Code, relating to sex offenders.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1392, as introduced, Florez. Sex offenders: residency.

Existing law places certain residency restrictions on parolees who are required to register as a sex offender.

This bill would make it a misdemeanor for any person who is required to register as a sex offender to reside in any county where one or more state correctional facilities is located.

Because the bill would create a new crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 294.5 is added to the Penal Code, to
- 2 read:
- 3 294.5. Notwithstanding any other provision of law, it is a
- 4 misdemeanor for any person who is required to register pursuant

1 to Section 290 to reside in any county where one or more state  
2 correctional facilities are located.

3 SEC. 2. No reimbursement is required by this act pursuant to  
4 Section 6 of Article XIII B of the California Constitution because  
5 the only costs that may be incurred by a local agency or school  
6 district will be incurred because this act creates a new crime or  
7 infraction, eliminates a crime or infraction, or changes the  
8 penalty for a crime or infraction, within the meaning of Section  
9 17556 of the Government Code, or changes the definition of a  
10 crime within the meaning of Section 6 of Article XIII B of the  
11 California Constitution.